

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

CANDICE J. NOVAK,

Plaintiff,

vs.

TAKATA CORPORATION, TK HOLDINGS,  
INC., HONDA MOTOR COMPANY, LTD.,  
AMERICAN HONDA MOTOR CO., INC.,  
HONDA R&D CO., LTD., HONDA OF  
AMERICA MFG., INC., and CORPORATION  
DOES 1-10,

Defendants.

8:19CV324

**ORDER TO SHOW CAUSE**

[Federal Rule of Civil Procedure 4\(m\)](#) provides, “If a defendant is not served within 90 days after the complaint is filed, the court -- on motion or on its own after notice to the plaintiff -- must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.” [Fed. R. Civ. P. 4\(m\)](#).

Plaintiff filed the Complaint on July 24, 2019. ([Filing No. 1](#)). More than 90 days has elapsed since the Complaint was filed. To date, Plaintiff has not filed any return of service indicating service on any of the defendants, no waivers of service have been filed, the defendants have not entered voluntary appearances, and Plaintiff has not requested an extension of time to complete service.<sup>1</sup> Accordingly,

**IT IS ORDERED** that Plaintiff shall have until **November 22, 2019**, to show cause why this case should not be dismissed pursuant to [Federal Rule of Civil Procedure 4\(m\)](#) or for want of prosecution. The failure to timely comply with this order may result in dismissal of this action without further notice.

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<sup>1</sup> To the extent Plaintiff is serving any defendant in a foreign country pursuant to Rule 4(f) or 4(h)(2), the 90-day rule does not apply, but a plaintiff must still act diligently in effectuating service. See *Mapping Your Future, Inc. v. Mapping Your Future Servs., Ltd.*, 266 F.R.D. 305, 309 (D.S.D. 2009).

Dated this 8<sup>th</sup> day of November, 2019.

BY THE COURT:

s/ Michael D. Nelson  
United States Magistrate Judge